

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1446 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 8-14-1-3 IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2004]: Sec. 3. **(a) Except as provided in**
- 5 **subsection (b),** the money collected for the motor vehicle highway
- 6 account fund and remaining after refunds and the payment of all
- 7 expenses incurred in the collection thereof, and after the deduction of
- 8 the amount appropriated to the department for traffic safety and after
- 9 the deduction of one-half (1/2) of the amount appropriated for the state
- 10 police department, shall be allocated to and distributed among the
- 11 department and subdivisions designated as follows:
- 12 (1) Of the net amount in the motor vehicle highway account the
- 13 auditor of state shall set aside for the cities and towns of the state
- 14 fifteen percent (15%) thereof. This sum shall be allocated to the
- 15 cities and towns upon the basis that the population of each city
- 16 and town bears to the total population of all the cities and towns
- 17 and shall be used for the construction or reconstruction and
- 18 maintenance of streets and alleys and shall be annually budgeted
- 19 as now provided by law. However, no part of such sum shall be
- 20 used for any other purpose than for the purposes defined in this
- 21 chapter. If any funds allocated to any city or town shall be used
- 22 by any officer or officers of such city or town for any purpose or

1 purposes other than for the purposes as defined in this chapter,
2 such officer or officers shall be liable upon their official bonds to
3 such city or town in such amount so used for other purposes than
4 for the purposes as defined in this chapter, together with the costs
5 of said action and reasonable attorney fees, recoverable in an
6 action or suit instituted in the name of the state of Indiana on the
7 relation of any taxpayer or taxpayers resident of such city or
8 town. A monthly distribution thereof of funds accumulated during
9 the preceding month shall be made by the auditor of state.

10 (2) Of the net amount in the motor vehicle highway account, the
11 auditor of state shall set aside for the counties of the state
12 thirty-two percent (32%) thereof. However, as to the allocation to
13 cities and towns under subdivision (1), and as to the allocation to
14 counties under this subdivision in the event that the amount in the
15 motor vehicle highway account fund remaining after refunds and
16 the payment of all expenses incurred in the collection thereof and
17 after deduction of any amount appropriated by the general
18 assembly for public safety and policing shall be less than
19 twenty-two million six hundred and fifty thousand dollars
20 (\$22,650,000), in any fiscal year then the amount so set aside in
21 the next calendar year for distributions to counties shall be
22 reduced fifty-four percent (54%) of such deficit and the amount
23 so set aside for distribution in the next calendar year to cities and
24 towns shall be reduced thirteen percent (13%) of such deficit.
25 Such reduced distributions shall begin with the distribution
26 January 1 of each year.

27 (3) The amount set aside for the counties of the state under the
28 provisions of subdivision (2) shall be allocated monthly upon the
29 following basis:

30 (A) Five percent (5%) of the amount allocated to the counties
31 to be divided equally among the ninety-two (92) counties.

32 (B) Sixty-five percent (65%) of the amount allocated to the
33 counties to be divided on the basis of the ratio of the actual
34 miles, now traveled and in use, of county roads in each county
35 to the total mileage of county roads in the state, which shall be
36 annually determined, accurately, by the department.

37 (C) Thirty percent (30%) of the amount allocated to the
38 counties to be divided on the basis of the ratio of the motor
39 vehicle registrations of each county to the total motor vehicle
40 registration of the state.

41 All money so distributed to the several counties of the state shall
42 constitute a special road fund for each of the respective counties
43 and shall be under the exclusive supervision and direction of the
44 board of county commissioners in the construction,
45 reconstruction, maintenance, or repair of the county highways or
46 bridges on such county highways within such county.

(4) Each month the remainder of the net amount in the motor vehicle highway account shall be credited to the state highway fund for the use of the department.

(5) Money in the fund may not be used for any toll road or toll bridge project.

(6) Notwithstanding any other provisions of this section, money in the motor vehicle highway account fund may be appropriated to the Indiana department of transportation from the forty-seven percent (47%) distributed to the political subdivisions of the state to pay the costs incurred by the department in providing services to those subdivisions.

(7) Notwithstanding any other provisions of this section or of IC 8-14-8, for the purpose of maintaining a sufficient working balance in accounts established primarily to facilitate the matching of federal and local money for highway projects, money may be appropriated to the Indiana department of transportation as follows:

(A) One-half (1/2) from the forty-seven percent (47%) set aside under subdivisions (1) and (2) for counties and for those cities and towns with a population greater than five thousand (5,000).

(B) One-half (1/2) from the distressed road fund under IC 8-14-8.

(b) The following provisions apply to each of the two (2) state fiscal years following a state fiscal year in which the Indiana transportation finance authority issues grant anticipation revenue bonds or notes under IC 8-14.5-7:

(1) The distribution to the department under subsection (a)(4) shall be reduced by one hundred million dollars (\$100,000,000).

(2) The distribution to cities and towns under subsection (a)(1) shall be increased by thirty-two million dollars (\$32,000,000).

(3) The distribution to counties under subsection (a)(2) shall be increased by sixty-eight million dollars (\$68,000,000)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1446 as printed January 30, 2004.)

Representative Liggett